



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 14.6

Subject: Shared or Delegated Child Protective Services Investigative Activities

Supersedes: DCS 14.6, 04/01/01

Local Policy: No

Local Procedures: No

Training Required: No

Approved by:

Effective date: 04/01/01

Revision date: 01/01/02

Application

To All Department of Children's Services Case Managers And Team Leaders
Performing Child Protective Services Responsibilities And DCS Internal Affairs Division

Authority: TCA 37-1-405; 37-1-406, 37-1-606, 37-5-106, 37-1-607

Policy

DCS shall allow, with the knowledge and approval of the team leader, other mandated agencies with whom we share investigations, to assume responsibility for investigative tasks for all or part of an investigation. DCS shall maintain responsibility for assuring the safety of children, meeting required time frames, classifying allegations, and documenting investigative tasks completed by the other agencies.

Procedures

A. Agencies that may assume investigative tasks The following agencies or entities may conduct child protection investigative tasks if there is a written protocol describing the conditions and responsibilities to be carried out:

1. District Attorney General
2. Law Enforcement
3. Medical Examiner's Office
4. Child Advocacy Center Forensic Interviewer
5. DCS Division of Internal Affairs

B. Circumstances in which tasks may be delegated or delayed

DCS investigative tasks may be delegated or delayed in the following circumstances.

1. There are no identified safety concerns for the alleged victim or other children, and a law enforcement agency, District Attorney, or Medical Examiner's office has requested that CPS delay or refrain from interviewing certain individuals to preserve or enhance a criminal investigation.
2. In cases involving Child Protective Investigation Team (CPIT), the team decides the order in which certain investigative tasks are to be completed and which agency representative shall perform them based on the circumstances in a given case.

C. Steps in delegating tasks

To delegate required investigative activities, the case manager must obtain:

1. Approval from the team leader;
2. Agreement from the investigative party to perform specific investigative tasks within 60-day timeframe;
3. Agreement from the investigative party to include the necessary questions related to child abuse and neglect during the interview or investigative contacts; and
4. Agreement from the party to provide to the case manager all documentation of the delegated interview or investigative contacts.

D. Entire investigations delegated by CPS

When CPS receives a report alleging that a child has died as the result of abuse or neglect, the case manager, in consultation with the team leader, shall delegate the entire investigation to another investigating agency if the following apply:

1. There are no other siblings or children in the home;
2. The other investigating agency is already involved in the investigation or is about to become involved;
3. The other agency agrees to cover the necessary child abuse and neglect-related question areas; and
4. The agency agrees to provide to the case manager with sufficient documentation of the investigative discoveries to allow the case manager to make a classification decision.

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| E. CPS role in investigations where law enforcement takes precedence | <ol style="list-style-type: none">1. When DCS agrees to defer to law enforcement or another entity for investigative tasks, the CPS case manager must first confer with the team leader regarding the investigative plan.2. With the team leader's approval, the case manager and/or team leader must then meet with the investigating party to identify any CPS roles and responsibilities in the investigation, and to establish time frames for the completion of all investigative tasks. This agreement may be verbal or written. If it is verbal, the case manager shall fully describe the agreement in the case narrative. |
| F. Documentation of delegated tasks | <ol style="list-style-type: none">1. The case manager shall enter the case on the TN Kids system and establish a CPS file, even if another agency conducts the entire investigation.2. The case manager shall obtain documentation of the delegated activities from the investigating party. The case manager shall document the activities from official reports.3. If DCS Internal Affairs conducts the investigation, then IA staff shall document their investigative activities in TN Kids CPS case recordings. |
| G. Failure to meet time frames | <ol style="list-style-type: none">1. If the investigating agency fails to complete delegated tasks within the 60-day investigative time frame, the case manager shall determine and document the factors involved in the delay, the activities remaining to be completed, and the expected date of completion.2. If the investigating agency does not complete the investigation within 7 additional calendar days, the case manager shall take this matter back to CPIT for resolution.3. The case manager shall document all attempts to obtain the information necessary to classify the case. |

Forms/Templates

None

Collateral Documents

None

Standards

None